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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/846,923	04/30/2001	Richard A. Dermer	07844-444001	3661
21876	7590	12/06/2004	EXAMINER	
FISH & RICHARDSON P.C. 3300 DAIN RAUSCHER PLAZA MINNEAPOLIS, MN 55402			COURTENAY III, ST JOHN	
			ART UNIT	PAPER NUMBER
			2126	

DATE MAILED: 12/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/846,923	DERMER, RICHARD A.	
	Examiner St. John Courtenay III	Art Unit 2126	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 30 April 2001.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-32 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 30 April 2001 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.



ST. JOHN COURTEENAY III  
PRIMARY EXAMINER

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

## Detailed Action

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1- 32 are rejected under 35 U.S.C. § 102(e) as being anticipated by **Eanes** (U.S. Patent Application Publication US 2003/0005412).

### As per independent claims 1, 17:

**Eanes** teaches a method of organizing components to provide access to a service, comprising:

- grouping components together to perform the service, wherein each component implements an interface for communicating with an assembly manager [e.g., see "agent creation interfaces" discussion, §0058; see also "agent creation program" that combines relevant software components into software agents and associated discussion, §§ 0015, 0028; see also communication interfaces, §0018], and,
- defining an assembly, the assembly having a name and an assembly definition having metadata information identifying

each component in the group of components and any further interface implemented by or used by any of the components, whereby the assembly definition is configured to be loaded into the assembly manager [e.g., see "agent creation program" that combines relevant software components into software agents and associated discussion, §§ 0015, 0028; see "metadata description" and associated discussion §§0015, 0016; see also "definitions of operations on data model" discussion, §0050].

**As per independent claims 10, 26:**

These claims are rejected for the same reasons detailed above in the rejection of independent claim 1, and also for the following additional reasons:

**Eanes** teaches a method of providing access to a service by a component-based application, comprising:

- receiving a request from the component-based application that identifies a service [see interaction with agent creation program and associated discussion, §0028];
- accessing an assembly definition associated with the service and having metadata information specifying a number of components used to perform the service and interfaces implemented by and used by the components [see "metadata description" and associated discussion §§0015, 0016; see also "definitions of operations on data model" discussion, §0050];
- loading each component identified in the assembly data-structure into an area for processing [see "Agent Builder" and associated discussion, §0061], and

- connecting an interface associated with each loaded component to other components according to the meta-data information in the assembly definition to form an assembly, whereby the application has access to an interface for communicating with the assembly [see intermediate agents (7), §0028 and associated discussion; see also communication interfaces, §0018].

**As per independent claims 14, 30:**

These claims are rejected for the same reasons detailed above in the rejection of the preceding independent claims, and also for the following additional reasons:

**Eanes** teaches a method for gaining access to a service, comprising:

- identifying a service for processing data [see interaction with agent creation program and associated discussion, §0028];
- calling an assembly manager with a service request corresponding to the service [see "Building Agents from Components" and associated discussion, §0028]; and
- accessing an assembly capable of performing the service, the assembly including components and interfaces specified in an assembly definition and loaded by the assembly manager [e.g., see "agent creation program" that combines relevant software components into software agents and associated discussion, §§ 0015, 0028; see "metadata description" and associated discussion §§0015, 0016; see also "definitions of operations on data model" discussion, §0050].

**As per dependent claims 2, 18:**

**Eanes** teaches associating the name of the assembly with a role name associated with the service [e.g., see "ontology defining as a metadata description of data" and associated discussion [0015].

**As per dependent claims 3, 19:**

**Eanes** teaches grouping the assembly with components to perform a second service and defining a second assembly, the second assembly having a second name and a second assembly definition having metadata information identifying the assembly and each component in the group of components and any further interfaces implemented by or used by the assembly and any of the components, whereby the second assembly definition is configured to be loaded into the assembly manager [e.g., Eanes teaches the formation of a plurality of agents from selected components, see §0028-0048].

**As per dependent claims 4, 20:**

**Eanes** teaches modifying one of the components, creating a new component to filter information that passes through an interface connected to the modified component and modifying the assembly definition to specify the new component and an interface connecting the new component to the modified component, whereby the modified component and new component so connected produce filtered information compatible with other components in the assembly [see data model definition and associated discussion, § 0047].

**As per dependent claims 5, 21:**

**Eanes** teaches modifying the component alters the processing of

information and renders the modified component and information incompatible with the other components in the assembly [see “Domain-specific ontologies” and associated discussion, § 0046].

**As per dependent claims 6, 22:**

**Eanes** teaches defining the assembly comprises identifying client and server relationships between the components and interfaces [see data model discussion §0029].

**As per dependent claims 7, 23:**

**Eanes** teaches the assembly definition is represented using Extensible Markup Language (XML) [see §0049, line 4].

**As per dependent claims 8, 24:**

**Eanes** teaches the components and interfaces comply with an object model architecture [see CORBA and associated discussion, § 0029, beginning line 5; see CORBA objects and COM, §0057; see CORBA and DCOM and COM discussion §§0011-0013].

**As per dependent claims 9, 25:**

**Eanes** teaches the object-model is selected from a set of object-models including Component Object Model (COM), Bravo Interface Binder (BIB), and Common Object Request Broker Architecture (CORBA) [see CORBA and associated discussion, § 0029, beginning line 5; see also CORBA objects and COM, §0057; see CORBA and DCOM and COM discussion §§0011-0013].

**As per dependent claims 11, 27:**

**Eanes** teaches connecting interfaces identified in the assembly definition to the loaded components, connecting interfaces associated with components in the assembly definition but not identified in the assembly definition to the loaded components [see communication interfaces, §0018, see “mapping” components to actual software systems discussion §0046].

**As per dependent claims 12, 28:**

**Eanes** teaches connecting interfaces in the assembly to components in a previously loaded assembly [see communication interfaces, §0018, see “mapping” components to actual software systems discussion §0046].

**As per dependent claims 13, 29:**

**Eanes** teaches receiving an indication that the access to the requested service is not longer required, disconnecting the interface from each component associated with the requested service, and unloading each disconnected component and the corresponding assembly definition while the component-based application remains loaded [e.g., see identification of incompatible components and associated discussion §0061].

**As per dependent claims 15, 31:**

**Eanes** teaches the service request comprises a name associated with the assembly definition [e.g., see "name="WindSensor 3000" in XML code listing at the top of page 5 and associated discussion §0050 ].

**As per dependent claims 16, 32:**

**Eanes** teaches the service request comprises a role name associated with the service [e.g., see "component description document" and associated discussion §0057].

**Prior Art not relied upon:**

Please refer to the references listed on the attached PTO-892 which are not relied upon in the claim rejections detailed above.

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**How to Contact the Examiner:**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to St. John Courtenay III, whose telephone number is 571-272-3761. A voice mail service is also available at this number. The Examiner can normally be reached on Monday - Friday, 8:00 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, An Meng-AI who can be reached on 571-272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**All responses sent by U.S. Mail should be mailed to:**

Commissioner for Patents  
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**Patent Customers advised to FAX communications to the USPTO**

<http://www.uspto.gov/web/offices/pac/dapp/opla/preognnotice/faxnotice.pdf>

Effective Oct. 15, 2003, ALL patent application correspondence transmitted by FAX must be directed to the new PTO central FAX number:

**NEW PTO CENTRAL FAX NUMBER:**

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**703-872-9306**

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- Any inquiry of a general nature or relating to the status of this application should be directed to the **TC 2100 Group receptionist: (703) 305-3900.**

**Please direct inquiries regarding fees, paper matching, and other issues not involving the Examiner to:**

**Technical Center 2100 CUSTOMER SERVICE: 703 306-5631**

The Manual of Patent Examining Procedure (MPEP) is available online at:  
<http://www.uspto.gov/web/offices/pac/mpep/index.html>



ST. JOHN COURTENAY III  
PRIMARY EXAMINER